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When Recorded Mail To: The Boyer Company, Attn: Dick Moffat 127 South 500 East, #100 Salt Lake City, Utah 84102 E 1432139 B 2342 P 789 JAMES ASHAUER, DAVIS CHTY RECORDER 1998 AUG 17 3:41 PM FEE 77.00 DEP ME REC'D FOR WESTERN STATES TITLE COMPANY

13967 Am

SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS

OF

01-225-0101

BOUNTIFUL RIDGES SUBDIVISION PHASE I

THIS SECOND AMENDMENT (the "Second Amendment") is made and entered into this 22 to day of 304, 1998, by BOUNTIFUL RIDGE, L.C., a Utah limited liability company (the "Owner").

RECITALS:

- A. Owner previously executed and recorded the following:
 - (i) A Plat for Bountiful Ridges Subdivision Phase I recorded May 20, 1997, as entry No. 1324027, in Book 2132, at Page 177 of the official records of the Davis County, State of Utah (the "Plat").
 - (ii) A Declaration of Covenants, Conditions and Restrictions of Bountiful Ridges Subdivision Phase 1, dated May 21, 1997, which was recorded May 22, 1997, as entry No. 1324545, in Book 2133, at Page 156, of the officials of Davis County, State of Utah (the "Declaration").
 - (iii) A First Amendment to Declaration of Covenants, Conditions & Restrictions of Bountiful Ridges Subdivision Phase I recorded June 9, 1997, as Entry No. 1327885 in Book 2139, at Page 1187 of the official records of Davis County, State of Utah ("First Amendment").
- B. Owner desires to amend the Declaration in certain respects.

NOW, THEREFORE, in consideration of the foregoing covenants and promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Owner agrees as follows:

- 1. The following sections of the Declaration shall be amended as follows:
 - (a) The existing Paragraph 2 of the Declaration shall be replaced by an entirely new Paragraph 2, to read as follows:
 - 2. <u>Building Height</u>. No lot in this subdivision shall have a building or structure which exceeds a height of two (2)stories (not counting the basement) or thirty-five (35) feet, whichever is lesser. Chimneys, flagpoles and similar structures not used for human occupancy are excluded in determining height. Height shall be

measured as the vertical distance from the average finished grade surface at the building wall to the deck line of a mansard roof, or the mean level between eaves and ridge for gable, hip or gambrel roofs. If Bountiful City ordinances are more restrictive then they shall govern.

- 2. In all other respects, the Declaration and Plat are ratified and affirmed.
- 3. The vote required for amendment of the Declaration of Covenants has occurred, in accordance with the Terms and Amendments portion of the Covenants.

EXECUTED by Owner on this <u>23</u> d	lay of fuly	, 1998.
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"OWNER"

BOUNTIFUL RIDGE, L.C. a Utah limited liability company

By:	1/1	_
1	James O. Paci	k
ν	Member	

By:

Walter J. Plumb, III

Member

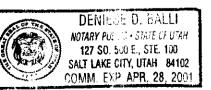
NOTARY

STATE OF UTAH)	
COUNTY OF SALT LAKE)	SS

On this 22 day of July, 1998, personally appeared before me JAMES O. PACK and WALTER J. PLUMB III, who duly acknowledged to me that they executed the foregoing instrument as members of BOUNTIFUL RIDGE, L.C., a Utah limited liability company, and that the statements contained therein are true.

My commission expires:

4-28-01



NOTARY/PUBLIC

Residing a